Royal Commission into Institutional Responses to Child Sexual Abuse

Statement

Name	Denis James Henry RYAN
Address	Known to the Royal Commission
Date	16 November 2015

1. This statement made by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and belief.

2. My full name is Denis James Henry RYAN. I was born in 1931. I am 84 years old.

3. I was born in Hurstville, Sydney. My father was christened a Catholic, but after coming back from the 1914-1918 war, he became an agnostic. My mother was a Seventh Day Adventist, but she leant towards the Catholic Church because they supported us during the Depression. Growing up, I regularly went to mass at St Finbar's Church in Sans Souci.

4. In 1951, I moved to Victoria and in March 1952 I joined Victoria Police. I studied at the depot in St Kilda Road, next to Prince Henry Hospital for a little over three months.

5. When I left the depot, I went to Russell Street Headquarters, and then to Windsor on the St Kilda junction. I was in Windsor for about six months, and then I went to St Kilda where I stayed until late 1956.

6. In 1956, I went to the Special Patrol which was part of the Criminal Investigation Branch ('CIB') at the Russell Street Headquarters.

7. In 1958, I moved to a new station at Mordialloc. At that stage I was a detective first constable. I lived in Aspendale, and went to mass at the Mordialloc Catholic Church, St Bridget's.

Signature: ..... Witness: .....

Monsignor John DAY

8. In early 1956, while I was stationed in uniform at St Kilda, I was on divisional van duty. At that time they used old Dodges built as vans. I was the observer, and I sat in the middle. There was also a driver, Clarrie BELL and a senior constable, Tom JENKINS, who was in charge.

9. We were driving along Wellington Street, when I saw a big new American car driving very slowly and bumping into the gutter about 50 or 100 metres from St Kilda Junction. Tom JENKINS said, 'Pull him over, see what it is. It might be a drunk driver'.

10. We pulled the car over. When we got beside it, we noticed that the driver was a well-known prostitute, Hazel HANRAHAN. We got out of the van and went around to the other side of the car. On the other side was another prostitute. There was an empty sherry bottle on the floor of the car. Lying on the front bench of this car, with his head in the lap of the driver and his feet on the lap of the other prostitute, was a figure with his pants around his ankles and his genitals showing, wearing a priest's collar.

11. We realised he was a priest, so we told the prostitutes to go. Tom JENKINS drove the priest in the big car to St Kilda Police Station, and Clarrie BELL and I followed in the divisional van. When we got to the station, Tom and I took the priest into the senior constable's office.

12. Tom JENKINS then told us that this priest's name was Father DAY ('DAY'), and that he was from Apollo Bay. Tom rang St Patrick's Cathedral in Melbourne. Sometime later, I saw two young priests arrive and pick up DAY and drive him and his car away.

13. After DAY had left, Tom JENKINS, Clarrie BELL and I went to have a cup of tea. I said to Tom, 'Why did we let him go? What's the business?' What I meant by that was, since he had committed a few offences, why didn't we charge him? Tom said, 'you don't charge priests or you will be in more trouble than enough. You don't pick fights that you can't

win, and you don't charge a priest short of murder'. Clarrie pretty much agreed. Tom was a Catholic and Clarrie was a Mason.

14. This annoyed me. About a fortnight later I was on the van with Tom JENKINS again. The driver was Doug PARK, a friend of mine. Doug left to go somewhere and I said to Tom, 'Well, why didn't we charge DAY?' He said something like, 'You don't charge a priest or you'd be like a bastard on Father's day', or words to that effect.

Sectarianism in Victoria Police

15. When I joined Victoria Police, there was a vast degree of sectarianism within the police force. I was known among the Catholics as one of them and amongst the Masons as one of 'those'. I took no notice of whether policemen were Catholics or not. I considered they were all policemen.

16. I tried my best to keep out of the politics that existed between the Masonic Lodge and the Catholics. I was, for a very short time, a member of the Knights of the Southern Cross which was a Catholic Organisation. I went to about four meetings, but that was enough for me and I left. I felt they were only looking at the Catholic side of the community and not the community as a whole.

17. In 1958 or 1959, members of the police – mostly Catholics – used to meet at O'Connor's Hotel in Spencer Street. On one occasion while I was there, Detective Sergeant Fred RUSSELL took me aside. I knew him right from the moment I went to Russell Street from the depot. He also came from Sydney and we both played cricket on the same side. We had become good mates. He was a practising Catholic.

18. Fred asked me whether I would be interested in joining their Catholic group to look after the interests of the Cathedral in relation to priests getting into some form of trouble. I understood him to mean that if a priest was caught driving under the influence or other simple street offences under the Police Offences Act, then you were to see if you could

speak to the arresting constable or someone you knew and have the case dropped or forgotten about.

19. I didn't know who else was in this group, but I assumed it was the other police officers who went to O'Connor's Hotel.

20. I told Fred I'd think about it. I thought about it for a short time. Two or three weeks later I told Fred that I didn't want to join their Catholic group. I did so because I was sworn in as a policeman for the State of Victoria, and my religion was my affair. I wasn't going to use it to cover up crime.

21. When I was stationed at Mordialloc, I was friendly with an Irish priest there, Father Jim ENGLISH. We used to have a coffee every now and then. One day he said to me, 'Did you know that a priest had been caught down at Chelsea on the beach exposing himself to young women?' He told me the Chelsea police had caught that priest. I said, 'No, I didn't hear of it'. He said, 'For some reason or other, he was let go'. Then he said, 'Dinny, if that ever happens to you, never let him go. This thing has got to stop'.

Mildura

22. In March 1962, I moved to Mildura. My doctor had advised that I had to go to a dry climate for the sake of my sons' health. Mildura was the only dry climate in Victoria. My district detective inspector at the time rang the chief of the CIB and told him of my predicament. He told me the chief said, 'There's a vacancy coming up at Mildura and it's yours, irrespective'. I applied for it when it came out in the orders, and was appointed to Mildura.

23. Before I left for Mildura, I got a call from Dinny BARRITT, who was a detective sergeant and a friend of mine. He said to me, 'For God's sake Dinny, don't go up to Mildura. I saw your name in the orders. My brother's there, Jim, and there's something wrong with him in the head'. I said, 'Oh, good God, what's wrong?' He said, 'Come to the Police Club and we'll have a beer tonight and I'll tell you about him'.

24. When I met him at the Club, Dinny told me that Jim was quite strange in his setting and his methods were quite different. Dinny BARRITT later became a lawyer and then a magistrate and coroner in Alice Springs.

25. On the first day I arrived in Mildura, Jim BARRITT said, 'Come with me'. I went with him in the car. The first stop was the presbytery. When we got there, the door was opened by a priest. I immediately recognised him as the priest we had picked up with the prostitutes in St Kilda. Jim BARRITT and I went in there and had a short conversation with this priest.

26. After we left the presbytery, I said to Jim BARRITT, 'There's something wrong with that priest, he has peculiar habits'. I was about to tell him more, but he roared 'You don't know what you're talking about. Get your facts right'. When we got back to the station, he attacked me again. I told him he didn't know what he was talking about and we ended up in a slanging match. I told him about where I had first met DAY.

27. The next day, I received a phone call from DAY. He asked me to come to the presbytery. When I knocked on the presbytery door, he opened it and started lambasting me about getting the facts right. He said it was another priest at Apollo Bay named John DAY, 'Not me, somebody else'. Then he said to me, 'Get out of my sight'. When I got back to the station, BARRITT had another go at me about it.

28. After I had been in Mildura a short time, I became aware that Jim BARRITT and DAY were close to Joe KEARNEY, who was the clerk of the courts in Mildura. When there wasn't a sitting magistrate in the district, KEARNEY was the most senior officer of the court in Mildura. KEARNEY was also a Catholic.

Structure of Victoria Police in 1971, 1972

29. In 1971 and 1972, the superintendent at Swan Hill was in charge of the whole district, including Mildura. Swan Hill was No.1 Division, and Mildura was No.2 Division. Mildura had a uniform inspector in charge. There was a senior sergeant under him, and three or four sergeants below that.

30. In those days the CIB was separate from the Uniform Branch. Detective Sergeant Jim BARRITT was more or less his own boss in Mildura, although he came under the superintendent in the Uniform Branch at Swan Hill. There was also a country district detective inspector, who came around to all the CIB officers every month. Don TRIPP and I were detectives, we reported to Jim BARRITT.

Investigations into John DAY

31. Mildura had a Catholic primary school, Sacred Heart School, and secondary school, St Joseph's College.

32. About seven years after I had been at Mildura, on or about the morning of 29 September 1971, I received a phone call from John HOWDEN. At that stage I think he was the headmaster of St Joseph's College in Mildura. I had met John once before. He said, 'I need you to come up to the college, there is a matter I wish to discuss'. I told him I would be there within the hour. He then said to me 'Don't let Jim BARRITT know I've called. I'll let you know the reason why when you get here'.

33. The morning I got this phone call, I went alone to St Joseph's College. I didn't tell anyone at the station where I was going. When I got there, I went to John HOWDEN's office. John was in there with an elderly nun, who he introduced as Sister Pancratius, a teaching principal at the school.

34. John HOWDEN said, 'the mother of one of our students has made a complaint that Monsignor John DAY has indecently assaulted her daughter on a number of occasions'. Sister Pancratius said, 'I've known about Monsignor DAY's behaviour for some time now. It runs contrary to my vows of silence to say this to you, and I will never repeat what I have said from this moment forward'. She walked out of the room, said 'Goodbye Detective RYAN', or something like that, and closed the door.

35. After she had left, John HOWDEN told me the name of the girl and said the allegation was that DAY had touched her breasts while she was washing his car. He made an

appointment for me to visit this girl, BPI , and her mother, Mrs BPY the following day.

36. John HOWDEN then said to me, 'I wanted to speak to you. Not BARRITT. BARRITT has a very close association with Monsignor DAY, I fear the complaint would have gone nowhere'. I told John I would conduct the investigation myself.

37. The next day, on 30 September 1971, I met first with Mrs BPY . She gave a statement, which she signed in my presence, stating her daughter had informed her that she had been indecently assaulted by DAY on a number of occasions [VPOL.0017.017.0027_E]. She also stated that she had told Sister Euphemia, a nun and teacher at the school, about these events shortly after her daughter had told her about them.

38. I then interviewed BPI , who was 17 years old. She gave a statement, which she signed in my presence [VPOL.0017.009.0029]. She also told me about a story she had heard from one of her classmates, BPZ , that DAY had molested her on a drive home from Melbourne.

39. Later that afternoon, I interviewed BPZ , and obtained a statement from her. [VPOL.0017.017.0029_E] She was in her leaving year at school.

40. There was one detective at Mildura, who I thought I could rely on and trust – Harry HERBERT. He was neither Mason nor Catholic. I told him about the statements I had from the two girls. I told him I thought it was the tip of the iceberg and he agreed. Within three or four days after this conversation, Harry sought and obtained a transfer back to Melbourne. I didn't tell anyone else that I had collected these three statements at the time.

41. Sometime after this, I spoke to a young bloke in Mildura who had attended Sacred Heart School. I told him I had an inquiry going into Monsignor DAY. He gave me the name of a man, BUA , who had been at school at Sacred Heart.

42. On 21 October 1971, at about 6 pm, I rang BUA and told him I needed his help. He agreed to come into the office. I interviewed BUA alone in my office with the door closed. BUA provided a statement, which he signed in my presence [VPOL.0017.009.0033]. In that statement he alleged that DAY had molested him when he was in Grade 6 at Sacred Heart Primary School.

43. Over the next week, I took statements from BUU [VPOL.0017.009.0035] and BUE [VPOL.0017.009.0031], both of whom alleged that DAY had sexually assaulted them while they were at St Joseph's Catholic College.

44. It wasn't a difficult inquiry. Each victim gave me another name, so it was like stepping stones.

Superintendent Jack McPARTLAND

45. On or around 25 October 1971, after I had collected these six statements, I decided to approach the most senior officer in the district – Superintendent Jack McPARTLAND, who was based at Swan Hill. I had worked with Jack in the past and got on well with him. I knew he was a devout Catholic, but I expected him to support me through the investigation as he was so far from Mildura.

46. I rang Superintendent McPARTLAND and said, 'I've got five statements from victims alleging that Monsignor DAY has committed numerous acts of sexual assault, gross indecency and attempted buggery'. He replied without hesitation, 'I want you to give these statements to Inspector IRWIN straight away and cease any further inquiries'. He said, 'You are no longer involved in this investigation'.

47. Inspector Alby IRWIN was the senior uniform officer at Mildura. He was Catholic and I knew he was close to Jim BARRITT.

48. I said to him, 'You're asking me to deliver these statements to Inspector IRWIN, a man who is a bosom friend of Jim BARRITT. And BARRITT is in turn the best friend of Monsignor DAY. That will be the end of this inquiry'. He said, 'I have given you an instruction. I expect

you to obey it'. I said, 'What you're asking me to do will effectively destroy this investigation'. He replied, 'I'm going to tell you something now, Detective RYAN, and you're not going to like it. I'm a Superintendent and you're a nobody. Do as you're fucking told'. He hung up.

49. I gave the five statements to Inspector IRWIN. He took the statements without a word. He looked at me for a moment before returning to his paperwork. By the time I had left IRWIN's office, I had decided I was not going to drop this investigation.

50. On or around 10 November 1971, Inspector IRWIN told me that he and Jim BARRITT were going to interview Monsignor DAY at the presbytery. He handed me a blank record of interview, with the questions he was going to ask DAY already typed in. I read a few of the questions.

51. I said to him, 'You're taking BARRITT with you? He's DAY's best friend! That is contrary to everything you were taught as a detective. You are totally and completely compromising the investigation. Your record of interview is a disgrace. I'd expect better from a first year constable fresh out of the academy'.

52. He replied, 'What are you talking about? How dare you say that to me?' He more or less jumped out of his seat and got into a fighting stance, then he turned his back on me and walked away. This was the first time anyone in the force had spoken to me about DAY since I had given Inspector IRWIN the five statements.

53. I was not given a copy of the transcript of the interview at that time, nor was I told about the outcome of the interview.

54. I was not told about the report from Inspector IRWIN to Superintendent McPARTLAND dated 19 November 1971 at the time, nor did I see a copy of it [VPOL.0017.009.0015]. I was not told about the report from Superintendent McPARTLAND to the Chief Commissioner, Reg JACKSON, dated 30 November 1971, nor did I see a copy of it [VPOL.0017.009.0007].

Father Peter TAFFE

55. In early December 1971, I was in the watch house, which is the part of the police station where prisoners are brought and charged, talking to the watch house keeper. Laurie McGRATH, a senior constable, came in and told me that someone in a car outside wanted to talk to me. I went outside.

56. Father Peter TAFFE was sitting in his car in the street outside the police station. Father TAFFE had been a priest in Mildura for about three years. I knew him and on one occasion I'd had a beer with him.

57. I said to him, 'Did you want to see me, Peter'. He leant over the passenger seat and said, 'Drop the inquiry into Monsignor DAY or you'll be out of a job'. I replied, 'You can go and get fucked, pal'. He drove off. On 29 April 2013, I swore an affidavit in relation to this conversation [IND.0278.001.0029].

Continuing investigation into DAY

58. On 8 December 1971, I interviewed a boy, BUI who was then a student at St Joseph's College. He alleged that he and another boy had spent a night with DAY in a motel room at Halls Gap in December 1970 and that DAY had sexually assaulted him on that trip. I took a statement from him which he signed in my presence [VPOL.0017.009.0039].

59. I tried to interview the boy who BUI said also spent the night in the motel room, however that boy's father would not let me interview him.

60. Also on 8 December 1971, I took a statement from BUH which he signed in my presence. BUH alleged that he had been sexually assaulted by DAY in 1965 [VPOL.0017.017.0049_E].

61. On 9 December 1971, I wrote a report to Inspector IRWIN, providing the statements of BUI and BUH [VPOL.0017.017.0008_E].

Writing to Bishop MULKEARNS

62. I had not spoken to John HOWDEN since he alerted me to the first allegation against DAY in September 1971. I met him at the school on 8 December 1971 and told him that I had taken statements from eight current or former students of St Joseph's College, all of whom alleged that DAY had sexually assaulted them.

63. I also told him that Superintendent McPARTLAND had ordered me off the case and that BARRITT and Inspector IRWIN had interviewed DAY.

64. I suggested to John HOWDEN that we write to the Bishop of Ballarat. He agreed. We wrote a letter together at the school that evening which we both signed and sent to Bishop MULKEARNS the following day [IND.0278.001.0001]. I had never met Bishop MULKEARNS before this time.

65. We agreed that Bishop MULKEARNS had to be given as much information as possible, so in that letter we listed the names and addresses of the victims and set out the nature of the allegations and the locations where those allegations were said to have occurred. We asked for DAY's removal from the parish of Mildura and for a meeting with the Bishop.

66. During that meeting, John HOWDEN told me that some time earlier, the principal of Sacred Heart Primary School, who was also a nun had come to him and said that the government had been paying the salary of a teacher who did not exist. DAY had signed off on all the accounts. I knew that DAY was the Chairman of the Mildura Catholic Church Parish Financial Committee, which handled funds from all sources including the money that came from the government for the school and that Joe KEARNEY was the Treasurer and Secretary.

67. John HOWDEN had told me that he and a group of senior parishioners had confronted DAY about this at the presbytery. He said DAY had denied the accusations and that some of the parishioners were furious about the state of the parish's accounts and one, or perhaps more, may have taken the matter to the police. I had not heard of this before.

68. Bishop MULKEARNS responded to John HOWDEN and I by letter dated 10 December 1971 [IND.0278.001.0003]. In that letter, Bishop MULKEARNS wrote that the police investigation had 'evidently cleared Monsignor DAY of the charges which have been made against him'.

69. I did not know at that time that Monsignor DAY had been cleared by the police of the charges against him.

70. Bishop MULKEARNS' letter also referred to a complaint made earlier to the police to the effect that Monsignor DAY was misappropriating parish funds. He wrote, 'one cannot help wondering whether a concerted effort is being made to discredit the parish priest'.

Continuing investigation into DAY

71. In or around December 1971, I located the proprietor of the motel at Halls Gap, where BUI alleged he had been sexually assaulted by DAY. That proprietor, Frederick John CONROY had since moved to Melbourne. I sent a report to the local police station, who obtained a statement from CONROY. That statement is dated 13 December 1971 [VPOL.0017.017.0037_E].

72. During my investigations, I had also been told that BUJ had been molested by DAY. BUJ had since become a police officer. I sent a report to his station and asked for a statement. He provided a statement that he had been sexually assaulted by DAY when he was a student at St Joseph's College. That statement is dated 17 December 1971 [VPOL.0017.017.0048_E].

73. In this way I also obtained a statement from BUQ that he had been sexually assaulted by DAY in 1965 when he was 11 years old and a student at St Joseph's College. That statement is dated 23 December 1971 [VPOL.0017.009.0037].

74. On 21 December 1971, I took a statement from BUO, which he signed in my presence [VPOL.0017.009.0051]. BUO stated that he was indecently assaulted by DAY when he was 13 years old and a student at Sacred Heart School.

75. Sometime in December 1971, Superintendent Jack McPARTLAND was transferred from Swan Hill back to Melbourne. His replacement was Superintendent Harry DUFFY. I hadn't worked with DUFFY previously. I knew him by name and knew that he was a staunch Catholic.

76. On 28 December 1971, Superintendent DUFFY visited Mildura Police Station. He spoke to me for about five minutes. I told DUFFY that BARRITT was extorting money from persons alleged to have committed offences and that that money was paid to the Catholic Church. I gave him a list of names.

77. I have been shown a report from Superintendent DUFFY of that visit to Mildura, dated 10 January 1972 [VPOL.0017.009.0020]. That report states that during his interview with me, I gave DUFFY the statements of BUO, BUJ, BUH, BUI and CONROY. That report also states that I gave DUFFY a copy of the letter John HOWDEN and I had sent to Bishop MULKEARNS and a copy of the Bishop's reply.

78. On 30 December 1971, I sent the statement of BUQ and a short report to Superintendent DUFFY at Swan Hill [VPOL.0017.017.0009_E].

79. By that time, I felt very alone in the police force. I could not talk to Jim BARRITT or Inspector IRWIN. Bill BRODIE, the police reservist in Mildura, had barely said a word to me since I began investigating DAY. Harry HERBERT's replacement at the CIB was Graham McALLISTER, who had come up from Melbourne. On his second day in Mildura, I asked him if he wanted to join me for a drink. He said, 'I've been told by senior officers in Melbourne not to discuss anything with you. Keep out of my way'.

80. I rang Chief Superintendent Frank HOLLAND, who was based at Russell Street CIB in Melbourne. He had been my old mate and mentor and had helped me on a number of occasions. He was a staunch Catholic and was close friends with Fred RUSSELL. I told Frank that I had been conducting an inquiry into a local monsignor who is raping little kids, that it had come to a standstill and that I had been ordered off the inquiry'. He said, 'Yes, I know all about it. Don't worry, help is on its way'.

Chief Superintendent John O'CONNOR and Detective Chief Inspector Harvey CHILD

81. On 15 January 1972, after I finished work, I returned home and saw a car in the driveway of my house. I walked into my house and saw Superintendent John ('Jack') O'CONNOR and Detective Chief Inspector Harvey CHILD standing in my lounge room with my wife.

82. I knew Jack O'CONNOR. He had been in the Special Branch of Victoria Police, which was almost totally comprised of Catholics. I knew that he was a Catholic. I had worked with Harvey CHILD's brother, Ray. He had once been a Mason. I knew Harvey CHILD was still a Mason.

83. Jack O'CONNOR said to me, 'Can I have a word with you out the back'. I followed into the backyard. Harvey CHILD remained inside. Once we were outside, Jack said to me, 'This is a nice old mess, Dinny. What I intend to do is have BARRITT moved on and you will be made detective sergeant here'.

84. I replied:

> I've done my sergeant's exam but I'd have to go back to Russell Street in uniform to be made a sergeant. Plus I've got my family settled here. My two oldest boys have asthma. They've improved up here, but until I get a medical clearance from their doctors, we have to stay. This position was given to me specifically for that reason by Superintendent CLUGSON. The doc says it might take a couple of years. I'd like to go back to Melbourne but I can't do it until the boys get the OK from the doc.

85. Jack O'CONNOR said, 'Don't worry about that, Dinny. You won't be forced back to Melbourne until you want to go. Where there's a will, there's a way. I can make it all happen for you'.

86. I replied, 'with due respect sir, it is not my intention to take Jim's position. I was asking for some assistance regarding the investigation into the crimes of Monsignor DAY. Jim BARRITT is too close to DAY'. Jack O'CONNOR said, 'Dinny, we can smooth all this over'.

87. I said:

> This goes back to my first day up here nine years ago. The first thing Jim did was take me up to the presbytery to meet DAY. It was then that I realised I had met DAY before. I was in the divisional van with Tommy JENKINS and Clarrie BELL in St Kilda back in 1956. We stopped DAY with two prostitutes in his car. He was pissed to the eyeballs with his strides around his ankles. I didn't let on when I met DAY, but I told Jim after we left. He blew up, told me I was wrong and next thing I know DAY has called me up to the presbytery where he shit-cans me and issues orders like he runs the town. It was a serious breach of trust by Jim, sir. Jim tried to tell me I had the wrong priest. He tried to tell me there was another Father DAY in Apollo Bay. DAY tried that one on, too. Jim completely lost me then. Sir, there is something sinister about their association.

88. Jack O'CONNOR said, 'Dinny, BARRITT's gone. You'll be my man up here. But you have to play ball with me on this one'. I said, 'I don't want Jim's job, sir. I want DAY thoroughly investigated. He's an absolute disgrace to the priesthood and he should be unfrocked'. O'CONNOR said, 'All right then', and walked back inside. I stayed where I was. Soon after, O'CONNOR and CHILD came out of the house and walked passed me. O'CONNOR said, 'I'll see you in the morning'.

89. The next day, the 16 January 1972, Jack O'CONNOR came over to my desk and told me he would be dealing with some business with the uniform boys and wouldn't get back to me about the DAY investigation for another week.

90. A week later, Jack O'CONNOR came back to Mildura from Melbourne. He spent a lot of time in BARRITT's office, but I don't know if BARRITT was there or not as he always closed the door behind him.

91. One afternoon, Jack O'CONNOR walked past my desk. I said to him, 'Mr O'CONNOR, I would like to be part of the inquiry into Monsignor DAY. As you know, sir, this was reported to me by the senior master at St Joseph's College as an official complaint from the principal of the school, Sister Pancratius. I've taken many statements. I can get a hundred more, sir'. He replied, 'No, you've been instructed that you're no longer part of this inquiry'.

92. The following day, I said to him, 'Mr O'CONNOR, I would like you to reconsider this. I have the local knowledge. I have the trust of the community. I can guarantee that I can find a hundred more of DAY's victims in this district alone. God only knows how many more we could find in his other parishes'. O'CONNOR replied, 'You've been told once and so I'll tell you one more time, you are not involved in this investigation. You've been issued a direct order and if you don't obey it, you will be subject to disciplinary action'.

Allegations against Jim BARRITT

93. On or around 20 January 1972, Harvey CHILD interviewed me about the allegations I had made to Superintendent DUFFY about Jim BARRITT extorting money. He took two statements from me.

94. The first set out the information I had been told that BARRITT had told two men to pay money to the Catholic Church to avoid prosecution for a criminal offence [VPOL.0017.017.0278_E]. That information had come to me from another policeman, Jack THOMAS. The second statement set out information about BARRITT's handling of a matter involving stolen tools from a workshop [VPOL.0017.017.0266_E].

95. During this interview, Harvey CHILD did not ask me any questions about DAY's sexual abuse of children. I did not say anything to him about it either. That subject had become taboo.

96. On 24 January 1972, I took a statement from a man, BUR, a former policeman, who said that he had been sexually assaulted by DAY when he was 11 years old and a student at Sacred Heart School in Mildura [VPOL.0017.009.0048].

97. Also in January 1972, Inspector IRWIN told me he had received an order from the Chief Commissioner of Police, Reg JACKSON, that I was forbidden to leave the Mildura district without IRWIN's permission. In my experience in the police, such an order was unheard of.

98. Sometime after the end of January 1972, I read in the papers that at mass on Sunday 30 January 1972, Monsignor John DAY informed the congregation that he had offered his resignation to Bishop MULKEARNS, that it had been accepted and that he would be leaving the parish within days.

Member for Midlands, Les SHILTON

99. In early 1972, I was introduced to Alan LIND, the member for Dandenong. Although I was under orders not to leave the district, I travelled to Melbourne to meet with him. He introduced me to Les SHILTON, who was the State member for Midlands and who had been a police officer for many years before entering parliament.

100. I met with SHILTON in March 1972. We spoke for about an hour. I told him everything I knew about DAY, from my first encounter with him in St Kilda in 1956, to the events in Mildura. I told him about the victims in Mildura, and how many other victims I thought there might have been.

101. On 7 March 1972, SHILTON asked a question without notice during question time in the legislative assembly about the 'result of the investigation conducted quite recently by two senior police officers into the police administration in Mildura' [VPOL.0017.017.0344_E].

102. Many years later, I obtained various documents from Victoria Police under Freedom of Information laws via the Victorian Civil & Administrative Tribunal (VCAT). One of those documents was a report dated 9 March 1972 from Superintendent O'CONNOR to Deputy Commissioner Jack CARMICHAEL [VPOL.0017.009.0011].

103. That report states 'Detective Chief Inspector CHILD and I interviewed a number of persons, including BUI , but no corroborative evidence was obtained. We particularly enquired without success as to any alleged indecent assault in recent times, exclusive of BUI '.

Signature: ..... Witness: .....

104. In my experience as a police officer, when a senior officer takes over an investigation from you, they re-interview the people that the original investigator interviewed, to make sure that the investigator hadn't missed anything. I would therefore have expected Detective Chief Inspector CHILD and Superintendent O'CONNOR to have interviewed those who had made a statement in relation to DAY and to have continued the inquiry.

105. Many years later, in or around 2006, I went and spoke to seven of the people who had made statements. BUO , had died. Other victims had left Mildura. Of the victims I spoke to, only BUQ told me he had been interviewed by Detective Chief Inspector CHILD and Superintendent O'CONNOR in 1972. He said he had confirmed the allegations made in his original statement. The other six – BUI , BPI , BPZ , BUU , BUH and BUR told me they had not been approached by the police at all.

Russell Street Headquarters

106. In March 1972, Inspector IRWIN told me to go to Melbourne and see Jack O'CONNOR. I went to Melbourne. Before I went to see O'CONNOR, I met a mate of mine who was a surveillance expert in the Bureau of Criminal Intelligence. He told me to watch O'CONNOR when he sits down at his desk and that if his hand goes down slightly to the right, and he pulls his second desk drawer open slightly, it will activate a tape recorder.

107. I saw O'CONNOR in his office at 11 am. No-one else was present. I sat down and watched O'CONNOR drop his right arm down and pull at his desk drawer. I said, 'Is this conversation going to be taped?' He replied, 'No, it's not'. I said, 'I advise you now that I do not consent to this interview being taped. If I discover that the interview is taped without my permission, I will seek legal redress'. I saw O'CONNOR shut the drawer.

108. He said to me, 'I am advising you that you will be charged with failing to complete the outcome of an arrest in your CIB diary'. I replied, 'You have got to be joking. There wouldn't be a detective in the state you couldn't charge with that. And that includes

yourself'. He said, 'That will be all, Detective'. I walked out. I was never charged with this or anything else.

109. On 29 March 1972, Jim BARRITT and I were called to Russell Street Headquarters to meet with Chief Commissioner Reg JACKSON and Deputy Commissioner Jack CARMICHAEL. BARRITT and I waited outside the Chief Commissioner's office. BARRITT went in first and was in there for about half an hour.

110. When it was my turn, Chief Commissioner JACKSON said to me, 'All right, why can't you get on with Jim BARRITT? What are the problems you've got with him?' I spoke for about ten minutes. I told them about BARRITT's relationship with DAY and his inadequacies as a detective.

111. After I had finished, JACKSON said, 'That will be all, detective'. They didn't ask me any questions about the investigation into DAY and I didn't mention it.

Transfer and appeal

112. On 12 April 1972, Inspector IRWIN came into my office and said, 'I have received notification from the commissioner's office that you are to be transferred out of Mildura. You can apply for any station that is available by the fifteenth of May but if you have made no application then you will be transferred to Russell Street CIB'.

113. I had initially moved to Mildura due to the health concerns of my two eldest sons. Those concerns continued and their doctor believed that a return to Melbourne could trigger further asthma attacks. I was also aware that if I left Mildura, the investigation into DAY would end.

114. I decided to appeal the transfer. I contacted the Police Association – the trade union of the police force and made an appointment to see an official, Kevin HATT, at the association office in McKenzie Street in Melbourne. As I was confined to the district order, I told Inspector IRWIN that I was going to Melbourne to appeal my decision.

115. When I met with Kevin HATT I told him I wanted to appeal my transfer from Mildura CIB to Russell Street, and told him about my investigations into DAY. I was about to tell him about O'CONNOR's visit to my home, when he suddenly jumped up from his chair, ran out of the office waving his arms and said 'This is too much for me, I can't handle this'. I waited for half an hour, then I asked the receptionist, who said he won't be coming back. I tried to call him five or six times after this visit, but he never answered or returned my calls.

Resignation

116. On 24 April 1972, I received a formal order to transfer from the new superintendent, Bill McBRIDE.

117. On 16 May 1972, I submitted a formal resignation to Superintendent McBRIDE, in which I stated that I had no alternative other than to resign 'owing to the pressure which has been brought to bear on me by Inspector IRWIN and Detective Sergeant BARRITT of Mildura, since the commencement of my enquiries into the criminal activities of Monsignor DAY in late September, 1971 and the untruths told by Detective Sergeant BARRITT' [IND.0278.001.0146].

118. In that resignation, I also wrote, 'I can only hope that any member of the Police Force who in the future performs a similar type of enquiry that I performed in relation to the Monsignor does not suffer the same fate that I have suffered'.

119. I knew that if I resigned from the force, I would lose my Police & Emergency Services pension, which was significant and all my benefits. I would also lose a job that had previously been my life. However, I knew that if I resigned and stayed in Mildura, my voice would still be heard.

120. After I submitted my resignation, I went on sick leave. I was depressed and bitter and worried about the financial situation of my family.

121. A police officer came to my house soon after this and told me to call Superintendent McBRIDE. I rang McBRIDE, and he said, 'How dare you submit a resignation like this? You can be charged with insubordination. You could be dismissed from the police force. Sacked. And you would not receive a penny. I am now demanding that you withdraw this resignation and submit an acceptable one'. I told him my resignation stands and hung up. I later put in a standard resignation after speaking with a uniform sergeant.

Citrus Orchard

122. On 20 January 1972 I made a statement to Detective Chief Inspector CHILD [VPOL.0035.001.0001_R]. In that statement I said:

> About 30 June '66, I purchased a dwelling house and 16 acres of land at Redcliffs. At the time of purchase it was a citrus orchard. My reason for purchasing the property was to provide security for my wife and children and also to ensure that my sons would remain in the District. The property is in the joint [sic] of my wife and myself and the business is in my wifes' name. My son, Michael assists my wife and my wife employs labour. The fact that I have been on this property has not affected my attention to police duties in any way.

123. I have been shown a report from Superintendent O'CONNOR to Deputy Commissioner CARMICHAEL dated 17 February 1972 [VPOL.0017.017.0246_E_R]. That report states:

> Neither member is interested in transferring, particularly RYAN who is interested in a 16 ½ acre citrus block, either in his wife's name or joint owned... It is possible that extension of the citrus interests may result in his resignation in the near future.

124. I have been shown a report from Deputy Commissioner CARMICHAEL to the Chief Commissioner dated 17 March 1972 [VPOL.0017.017.0242_E_R]. That report states:

> In addition, RYAN has a commercial interest in the district, being at least the de facto owner of a citrus block.

125. I have also been shown an undated report from the Acting Chief Commissioner CARMICHAEL to Under Secretary DILLON [IND.0278.001.0149]. That report states in relation to myself:

> In addition, he is the owner of a 16 ½ acre citrus block which he admitted he hoped to enlarge. The nature and scope of this business interest is considered to conflict too sharply with his primary role as a member of the Force leading to a situation where his divided interests adversely affects his work performance.

126. Neither Deputy Commissioner CARMICHAEL nor Chief Commissioner JACKSON ever raised this citrus block with me. My accountant at the time had told me that I earned about twenty dollars a week out of this citrus orchard, which was about enough to buy a bag of groceries in 1972. I never had plans to enlarge the citrus orchard and I never considered resigning from the police force because of it.

127. I have also been shown a report from Detective Acting Inspector K WILLIAMS dated 2 September 1997 [VPOL.0017.017.0074_E]. That report states:

> The alleged forcing of RYAN to resign was also reviewed. I found that RYAN chose to resign rather than be transferred to Russell St CIB. At the time RYAN had an active interest in a fruit growing block and it appeared he was considering full time farming before his order to transfer.

128. My long-term plan in the early 1970's was to take my family back to Melbourne in a couple of years, if my children received clearance from their doctor.

Life after Victoria Police

129. After I resigned, I received a number of impromptu job offers from various members of Victoria Police.

130. For instance, within a few days of leaving the force, I received a phone call from Sid BAKER, who was the detective senior sergeant in charge of the CIB at Prahan. Sid told me he was disgusted by what had happened to me and said that a position would be made available for me at Prahan without me losing seniority or rank. He said, 'You can do what you like, until the day you retire'.

131. I replied, 'Come on, Sid, stop bullshitting me. Jacko's put you up to this'. At the time, I knew that Jacko – Chief Commissioner Reg JACKSON – was a very good friend of Sid BAKER. Sid hesitated and said, 'Yes, he has, Dinny. Yeah'. I knocked back that job and all the others. I believed those offers were made only in an attempt to keep me quiet and get me out of Mildura, where any ongoing inquiry into DAY would have lapsed into the void.

132. In late 1972, after I had left Victoria Police, I gave evidence at Jim BARRITT's disciplinary hearing. I saw Jack O'CONNOR there, and he said, 'I was surprised you left the police force, why did you do that?' I replied, 'I couldn't get on with Jim BARRITT'.

133. I later received a call from Alf FOLEY, who was the Victorian chief stipendiary magistrate. He was a Catholic and well-known in the force. He invited me fishing with him and John MACARDLE up the Darling River. I knew Alf, but I hadn't heard from him in about ten years. I asked him what this was all about. He offered me a position as head of the security group for the County Court, the Supreme Court and Petty Sessions. I told him I didn't want to go fishing and that I didn't want the job.

134. After I left Victoria Police, I started to work packing fruit and also worked for the Citrus Fruit Marketing Board of NSW and Victoria.

135. I also began to take an interest in local government. I ran for the Mildura Shire Council in October 1972 and was elected. I went on to become Shire President of Mildura in 1979 for a year.

136. I left the Council in 1980. My first wife and I separated in about 1981. I married my second wife in about 1993. After I retired in about 2004, my wife and I went caravanning around Australia.

137. My first wife died of cirrhosis of the liver in about 1994. My second wife died in 2014.

Signature: ..... Witness: .....

Impact

138. In about 1992, I started to develop what could be described as a panic disorder. I would get trembling in my body and my heart would be racing. I was admitted to Mildura Hospital and was in intensive care overnight. I had about three appointments with a clinical psychologist who said I had a "classic case of panic disorder." These attacks continued on and off for a few years. I was later told by a psychiatric nurse at the new Mildura Hospital that I had PTSD.

Conclusion

139. In the early days, I had nightmares of Monsignor DAY raping kids and the way the police force had condoned these offences.

140. Hardly a day goes by that I don't think of the police force and what they did to the kids who were the victims of Monsignor DAY. Those children were being mentally and physically destroyed by DAY and the police protected him. Bishop MULKEARNS also protected him.

141. I wonder how many kids would have been saved if Victoria Police had gone on with the inquiry into DAY.

Signed: .....

Date: ..... 16th November 2015

Witness: .....

Date: ..... 16 November 2015.